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# THE ARIZONA REPUBLICAN

TWENTY-FIRST YEAR.

16 PAGES

PHOENIX, ARIZONA, TUESDAY MORNING, MARCH 28, 1911.

16 PAGES

VOL XXI. NO. 308.

## CATASTROPHE WAS INVITED

All Things Favorable to New York Factory Horror

## ESCAPE MADE IMPOSSIBLE

Beginning of Investigation of Causes of the Blazing Tragedy—Owners of Other Faulty Buildings Caught in the Spreading Net.

New York, March 27.—Fixing the blame for the loss of 142 lives in the Washington Square fire on Saturday, drew a focus today by the energies of the district attorney's staff, the fire marshal, the coroner, the state labor department and through President McKinley of Manhattan. Dozens of investigators collected all available information.

Evidence that the doors of the exits escape in the air shaft, that one fire escape was blocked by iron shutters when opened, an empty water tank on the roof, the practice prevalent among the cutters of lighting cigarettes a few minutes before quitting time, all this, and what is yet to be ferreted out, will be placed before the grand jury.

The tenement house department summoned the owners of half a dozen faulty structures to a far reaching investigation of tenements. One man was held for violating the law and other cases, it is announced, will be pressed tomorrow. Fire Marshal Beers said, "There never has been a fire drill in this factory. In my opinion it would take 700 girls three hours to reach the street by one fire escape."

The fire marshal is convinced that a cigarette lighted by a cutter and thrown into a heap of clippings started the fire.

A relief fund for the sufferers is headed by a \$5,000 donation by Andrew Carnegie. Half a hundred funeral trains trailed through the East Side Italian district near the factory today and as many more are scheduled for tomorrow. The unidentified will be buried in a single grave.

## INDIFFERENT MASTER BAD PUBLIC SERVANT

The Latter Roosevelt Says Is Product of the Former.

Berkeley, March 27.—A crowd that again taxed the resources of the spacious Greek theater of the University of California, heard Theodore Roosevelt continue his lecture series this afternoon.

"The Public Servant and the Eighth Commandment" was the subject of today's preaching, and many read in Roosevelt's striking remarks special references to the conditions in San Francisco that led to the recent graft prosecutions.

"There used to be in the army," he said, "an old proverb that there are no bad regiments, but plenty of bad colonels. Now, in private life, I have found that if there are bad servants in the household you want to look out for the mistress. It is equally true that if you find a bad public servant, you want to look out for the public. We are not to be excused for our government goes wrong. Countries of other forms of government than ours are not to be blamed, as they have not had the choice of their officials. But we do choose them," he said, "and they must represent us—our sense of right, our sense of duty, or our sense of indecency or supine indifference to honest."

His thirty years in public life, he continued, had taught him that things are growing better politically, though "heaven knows there is still plenty of room for improvement."

What impressed him most, he remarked, was not the corruption to be found in certain public servants, "but the utter cynicism and indifference of those people who elected those corrupt servants."

## ALABAMA TORNADO.

Two Were Killed and a Score Injured.

Monroeville, Ala., March 27.—Two were killed and twenty persons injured by a tornado which swept through this part of the state last evening. At Jones Mills, Steven Iyer and Alexander McCroly, farmers, were killed and fifteen persons were hurt.

## SHE HASTENED DEATH

Suicide of a Sick Woman at Long Beach

Long Beach, Mar. 27.—Mrs. John Saywell, forty-four years old, who came here from Detroit, Mich., with her husband in December, committed suicide today, by jumping into the channel of Alamitos bay after she drank chloroform. The body was later recovered on a bar 1,000 feet out in the bay. The suicide is attributed to Mrs. Saywell's nervous condition.

## THERE WILL BE NO PARDONS

Announcements Regarding Bankers Morse and Walsh

Washington, March 26.—Executive clemency will not be extended now to Charles W. Morse, the New York banker and John R. Walsh, the Chicago banker, who are serving fifteen- and five-year sentences, respectively, in the federal penitentiary.

From sources close to Mr. Taft it was learned today that he would follow the recommendations of Attorney General Wickersham. It is understood that Mr. Wickersham recommended that, inasmuch as Walsh could be paroled under the new federal law, justice would be better served if executive clemency were not to be extended.

## ANOTHER GOTCH VICTORY.

Salt Lake City, Utah, March 27.—

Frank Gotch threw Jack Leon in twenty-five minutes with a half-Nelson and crotch hold, and in ten minutes with his famous toe hold, here tonight.

## MANY MILLIONS SECURED BY FRAUD

ARREST OF THE WISNER BROS. BROKERS.

Charged With Improper Use of the Mails.

New York, March 27.—In a raid of the stock brokerage offices today on Fifth avenue occupied by Wisner & Co., and the Standard Securities company, postoffice inspectors charge that irregularities of more than \$2,000,000 were brought to light. Transactions of \$10,000,000 throughout the country have been credited to the two concerns in the last few years. Archie and Emmett S. Wisner, constituting the ownership of both concerns, and Grover Trumbull, chief clerk, were arrested.

They were committed to the Tombs on the charge of using the mails to defraud by selling worthless stocks. The specific charge is that the Wisners represented to stock purchasers that the California Diamond Oil company was actively at work, when, according to the charge, the company is dormant and had lost title in 1908 to property it was claimed it was operating.

The principal stocks dealt in by Wisner & Co., according to the postal inspectors, are those of the Thirty-three Consolidated Oil, the Mutual Oil, the Homestead Oil, Little Badger, Sycamore Oil, Valencia Copper, Black Oak Gold, Eureka Oil and Gas, the Mount Jefferson Mines, the Murchi Gold company, the Empire Gold Mines limited, California & New York Consolidated, California Monarch Oil company, United Tonopah & Goldfield Mines, Manzanita-Nevada Gold, Philippines Plantation, California Diamond Oil, Murchi Extension Gold Mining and the Amalgamated Mining and Oil company.

Of the latter corporation Wisner & Co. it is alleged have disposed of stock to the amount of \$5,000,000.

## THE ADVICE FOUNDRY

OUTPUT OF YESTERDAY

The Things Which the Senate Should Do.

Lincoln, Neb., March 27.—Concerning the organization of the senate, William J. Bryan said today: "The democrats of the senate have a duty to perform at the very opening of the extra session, namely the reorganization of that body. The democrats are still in the minority but they will have the selection of the democratic members of the various committees and acting with the progressive republicans they cannot only secure representation on the committees but they can make the committee represent the sentiment of the senate."

"The stand-pat democrats and republicans are now in control of the best committee assignments and may expect to keep them in spite of the fact that they no longer represent the sentiment of the majority of that body. It seems likely to be the question of seniority versus public interest, the question of individual ambition versus the welfare of the people."

"It is not difficult to determine which side to take in such a controversy. It may flatter a man's vanity to allow him to misrepresent his party or his country, but not his democracy."

## GRANT BROS. FINE STICKS

Judgment of Lower Court Affirmed

## OTHER MATTERS TAKEN UP

The Supreme Court Adjourned to May 4, But No Other Opinions Will Likely Be Handed Down Before January Meeting.

The supreme court yesterday afternoon finished the business of the March meeting and adjourned until May 4. That is, it finished its business so far as it could; there were several cases in which the court had not reached an agreement and they were allowed to go over until the regular meeting next winter.

Among the cases disposed of yesterday was that of Grant Bros. Construction company, appellants, against the United States, respondents, from the first district. This was a prosecution by the government of the construction company charged with violating the contract alien labor law. It was charged that the company through its agents had been bringing unskilled laborers into the country for work on railroad construction in the southern part of the territory. In one lot there were forty-five of these laborers, so that there were forty-five counts in the complaint. The company was convicted and fined \$40,000. This judgment was affirmed.

That there was no importation of laborers there was no doubt, but it was the contention of the company that its agent had acted without its knowledge and in the face of instructions that all negotiations for labor must be conducted on this side of the line.

Yet there was proof introduced that the transportation of the men had been paid for from Hermosillo. There was proof that the agent had not paid for the transportation; the men had not paid. If therefore appeared that either the railroad or the company had been paid by the only other party interested in their movement, the construction company itself.

There was also testimony that the agent, one Carney, who had been bringing the men in through Nogales, had received instructions to bring others by the way of Naco, as that point was nearer to the construction camps. The question thus mainly centered about the contention of the company that whatever violation of law there had been had been committed without the knowledge of the management which could not be held for the illegal acts of its agent. Concerning the question of the company's knowledge the opinion had the following:

"A clear definition of what is meant by legal knowledge is found in the language employed by Judge Nixon in charging a jury in the case of the United States vs. Houghton, 14 Fed. 544, which was a criminal prosecution based upon section 5418 of the revised statutes of the United States, making it a misdemeanor for any person to present to an officer of the United States any false, forged or altered public record and other writing knowing the same to be false."

"What is legal knowledge of a fact? There is great misapprehension in the popular mind on this subject. There seems to be a prevalent notion that no one is chargeable with more knowledge than he chooses to have; that he is permitted to close his eyes when he pleases upon all sources of information and then excuse his ignorance by saying that he does not see anything. In criminal as well as civil affairs every man is presumed to know everything that he can learn upon inquiry when he has facts in his possession which suggest the inquiry."

"This is the most important pending case of this kind in the United States; the fine imposed is said to be the largest for a violation of the alien labor law. The importance of the case is shown by the number of telegrams which have been received by United States Attorney Morrison respecting it."

Another matter before the court, not yet decided, was the peculiar case of the Arizona Eastern, appellant, against the United States, respondent, in which a motion for a new trial had been denied by the lower court and an appeal was perfected. After this, the lower court vacated the judgment. The question was as to the status of the appeal or that of the case itself, whether it was now before the supreme court or whether it was brought back within the jurisdiction of the lower court by the vacation of the judgment.

Chief Justice Kent said that some years ago this same question had been brought before the supreme court, which decided that the district court had not lost jurisdiction by the vacation of the judgment. The then Chief Justice, Chief Justice Kent said that he believed that the ruling of the court at that time was

in error, but this matter would be passed upon later.

In the case of the Gila Valley, Globe & Northern railway, appellant, against John Hall, appellee, from Gila county, in which the judgment of the lower court had been affirmed, and of which notice of appeal to the United States supreme court had been given, S. L. Pattee, for the appellant, moved for permission to substitute for the Gila Valley, Globe & Northern the same of the Arizona Eastern, which since the institution of the suit had absorbed the Gila Valley road. Mr. Pattee explained that the latter corporation was now dead. After some discussion between Mr. Pattee, the court and Judge Baker, for the appellee, Judge Baker said that no objection would be raised to the substitution. But this was after he remarked that the suit had been pending a long time. Said he: "The defendant is now defunct, one of its bondsmen is dead, the appellee is crippled, and the appellee's attorney is not in very good shape." Judge Baker was suffering from an attack of grip.

Other matters disposed of yesterday were the following:

Walter Sharp, appellant, against the territory, respondent, Cochise county, affirmed.

Paine & Webber, appellants, against the Copper Butte company, appellee, a summary affirmed.

The Bank of Arizona, appellant, against Thomas W. Haverly company, appellee, this county, affirmed.

Annie M. McCord, appellant, against Mary Emma McCord, appellee, this county, affirmed.

Twin Butte company, appellant, against the Bank of Arizona, appellee, Pima county, affirmed.

L. J. Bordeaux, administrator of the estate of C. E. Youmans, appellant, against the consolidated Telegraph company, appellee, Pima county, reversed. In the lower court a demurrer setting up that the complaint did not contain facts to constitute an action was sustained and it was from this ruling that appeal was taken. There was an amended answer which set up a complaint, but was filed after the explanation of the statute of limitations, so that when an answer contained new matter or when it was a proper amendment could not be gathered from the record.

In the case of W. S. Tevis and others against Jepp Ryan and others, notice of appeal to the United States supreme court was given.

## OHIO EX-CONGRESSMAN

Lanning Acquitted of one Crime, on Trial for Another.

Elyria, Ohio, March 27.—Ex-Congressman Jay Lanning was acquitted here by order of Judge Willis Vickery last Thursday, on the charge of misapplying the funds of the Ohio Loans Savings Investment company of Norwalk. He was put on trial here today on a new count charging him with having made false entries in the books of the company.

## THE SHAKING UP OF PHILADELPHIA

## A STORM OF ELECTRICITY AND WIND.

Great Damage Wrought in the City and Suburbs.

Philadelphia, Pa., March 27.—A severe electrical storm accompanied by a high wind, which at times blew with cyclonic force swept the northern section of the city tonight, leaving destruction in its wake.

Buildings were demolished, houses were unroofed and the New York division of the Pennsylvania railroad is out of commission. An unidentified man was killed.

In the manufacturing section of Germantown the storm also caused havoc. The cupola of St. Michael's church was blown off; Jones Hall lost its roof, as did U. P. factory of the American Metal company.

Many mills were unroofed in Manayunk, the northern section, the walls of the surgical department of St. Timothy's hospital, at Roxborough, was crushed in. The patients were buried under a mass of debris, but were rescued uninjured. Many small houses were demolished and the trolley lines are out of commission.

## THE DUVEENS PUNGE THE ART IMPORTERS

Would Get Out of Trouble by Paying \$1,200,000

New York, Mar. 27.—Following the payment today of \$100,000 each, by Louis J. and Joseph Duveen, imposed for customs frauds, United States Attorney Wise announced that upon a deposit of \$1,200,000 in cash by the Duveen brothers, he would recommend that the government drop the civil action for \$5,000,000 against the firm and release the seized art goods now held.

This would also release from civil liability all purchasers from the firm. The firm has made a proposition to settle for \$1,200,000, the government officers expect that they will, in a few days deposit the cash as required.

The settlement of the civil suit now agreed upon, will not in any way affect the criminal prosecution of Henry J. Duveen and Benjamin T. Duveen, yet under indictment charging customs frauds.

## REDOUBLED EXERTIONS

Insurrectos Will Try to Show Existence of War

## FRIENDLY TO AMERICANS

In the Western End Many Things Alarm Insurgents, the Wounding of Berthold and Approach of Exterminating Federal Forces.

El Paso, Tex., March 27.—The insurrectos are reorganizing their forces, drilling their men, providing them with ample ammunition and distributing stores with a view of carrying on the war to a decisive issue. No attention whatever being paid to the so-called overtures for peace. Madero is anxious to show the widespread extent of the revolution and thus obtain a recognition of belligerency from all nations.

This information was given out by the revolutionary junta here today as coming from Francisco I. Madero, the so-called president of the insurrectos. It is stated that Madero, in a recent message to the junta, was eager to obtain from the foreign governments recognition that a state of war existed. One object, it was pointed out, was that in the event the insurrectos captured a border town it would obviate complications with foreign countries by enabling them to appoint provisional consular agents.

"Especially," said the statement by the junta, "do the insurrectos want to merit friendship. No depredations are being committed by insurrectos on property in Mexico owned by Americans."

"No food has been taken from resident Americans unless a receipt was given and it is the intention of the provisional government to reimburse any losses sustained by Americans as soon as the anti-constitutional authorities of our country is overthrown. Frequently lawless persons commit acts of violence, but these, when caught, are severely punished. It is hoped soon to establish peace and with it a complete overthrow of the tyranny which now oppresses us."

The telegraph wire between Casas Grandes and Juarez was working a few hours today. With the permission of the federal officials a message was sent through asking Col. Cuellar for the names of the American prisoners in jail there. A short time later the wire was cut by the insurrectos before a reply had been received.

## UNEASINESS AT MEXICALI.

Mexicali, March 27.—The news that Simon Berthold was wounded in a fight with federals near Alamo, coupled with information that the government force at Tecate has been doubled by the arrival of 100 men, created alarm today in the rebel garrison at Mexicali.

General Leva despatched twenty-five mounted men under Captain Francisco Quijada to hold Pichico pass against a possible advance of federals from Tecate or the approach of the main army by the way of the west side of Laguna Salada. Captain John McDonald, who was wounded in the leg today, was suffering intensely tonight as a result of severe medical attention.

## FEDERAL MOVEMENT.

Tecate, Baja California, March 27.—The arrival today of Lieutenant Colonel Juan Basque from Ensenada with 200 men and the arrival tomorrow of Colonel Miguel Mayol with 300 more men and two machine guns will complete the force being sent up here to wage a campaign of extermination along the boundary line.

## INSURRECTO ATTACK REPELLED.

Parral, Mexico, March 27.—The demands of 200 insurrectos for the surrender of the town of Inde, several hours' ride from the National railroad, were refused by the jefe politico, and a fire that lasted five hours was directed on the town. The insurrectos lost eight men.

A boy was sent by the insurrectos with a message asking for the surrender of the town and promising that no pillaging would be done. The boy was detained and a short time afterwards a few shots dropped into the plaza. Just then the tri-color of the republic was run up on a pole by order of the jefe politico as a defiance of the invaders and the firing recommenced with vigor. Later some of the insurrectos became bolder and came close to the business section, but were driven back. After an almost incessant fire of five hours the insurrectos retired to the mountains.

## THREE CUSHION BILLIARDS

New York, Mar. 27.—John Daly, world's champion three-cushion billiardist, defeated George W. Moore of New York fifty to forty-five in the first block of a 150-point match for the title here tonight. Seventy-eight innings were played.

## THE HARRIMAN INVENTORY.

Everything Connected With the System to be Counted.

Denver, Colo., March 27.—Plans for taking one of the biggest inventories in history were discussed today by the engineers of all the railroads of the Harriman system. A complete valuation of the entire system, involving everything from bolts and steel rails to cars, buildings and franchises and more than 15,000 miles of track will be made. It will probably require two or three years.

The work, it is stated, is already under way, and today's meeting was for the purpose of arranging the details. The report of the engineers, when completed, is expected to answer the question of the physical valuation of the railroads compared with their capital stock and bond issues.

## PUEBLO FIREMAN WON.

Muskogee, Okla., March 27.—Jim Flynn tonight knocked out Al Mandino in the fourth round of a scheduled fifteen-round fight. Mandino was felled four times in the fourth round.

The fight was one of the bitterest and most vicious ever staged in this part of the state. The ring was covered with blood at the end of the first round and the head and shoulders of both men were smeared crimson when the fight ended. Mandino was felled six times. In the last Flynn clipped a right to the jaw during the fight and Mandino went down. Three times he quickly sprang to his feet, and each time was felled. Apparently crazed by the blows, the last time he sprang to his feet with his back to Flynn. His seconds then threw the sponge into the ring.

## EIGHTY-FIVE DAYS OF LAW MAKING

## END OF THE CALIFORNIA LEGISLATIVE SESSION.

An Outline of What Was Accomplished.

Sacramento, Cal., March 27.—The thirty-ninth legislature lasted eighty-five days and adjourned today. Two thousand eight hundred and seventy-six bills were introduced, about 800 passed both houses and about 225 were signed by the governor before adjournment. One hundred and five constitutional amendments were introduced and thirteen were adopted by both houses to be voted upon by the people at a special election October 19, 1911.

Railroad legislation was the largest issue before the legislature. One big bill, conferring upon the railroad commission what is believed to be the widest powers possible under the constitution was passed. A series of constitutional amendments making possible the further extension of these powers was adopted.

The machinery of an entirely new taxing system that the state may derive its income from the gross earnings of corporations was worked out and accepted.

Among the subjects talked over at a pre-legislative conference in San Francisco, on legislation to be enacted were: Conservation of water power; a revision of the election laws; county home rule; a revision of criminal procedure; equal suffrage, and an employers' liability law.

For the first time since the beginning of the legislature Governor Hiram W. Johnson appointed ten members to the floors of both houses. He was escorted by committees of assemblymen and senators. He was taken to the date of each house amid tumultuous cheers. His message was as comprehensive as brief.

"Tonight we stand looking back over the record without one pledge broken," he said to the senate. "Not one promise made to the people of the state of California is unfulfilled."

## A FINAL APPEAL TO THE PRESIDENT

Washington Preachers' Protest Against Utah's Silver Service.

Washington, March 27.—The president will be appealed to, if Secretary of the Navy Meyer refuses to accede to the protests of the pastors' federation against the engraving of Brigham Young's statue on the silver service to be presented by a committee of Salt Lake citizens to the battleship Utah. "Traitor" and "heathen" were the terms applied to Brigham Young by Dr. Wallace Radcliffe, pastor of the New York avenue Presbyterian church in this city, who introduced the resolutions urging that the Mormon emblem be eliminated from the service before it is accepted by the navy department.

## OFFICIALLY ANNOUNCED

New Mexican Cabinet With a Single Vacancy

## OTHER RUMORED CHANGES

Revival of Rumor of Diaz's Retirement—Vice President Will Probably Quit. Announcement of New Ambassador to U. S.

Mexico City, Mar. 27.—Coincident with the official announcement of the Diaz new cabinet today, came the appointment of Manuel de Zaramacora y Inclan as ambassador to the United States, and at the same time the resignation of Miguel Macedo sub-secretary of the interior became known. General Cosío retains the portfolio of the department of war.

The cabinet is as follows:

Foreign relations—Francisco Leon de la Barra.

Interior—pending.

Justice—Demetrio Sodi.

Public Instructions—Jorge Vera Estanislao.

Fomento—Manuel Marroquin y Rivera.

Communication and Public Works—Norberto Dominguez.

Finance—Jose Yves Limantour.

War and Marine—General Manuel Cosío.

Salado Alvarez, sub-secretary of the department of foreign relations, will administer the oath of office to the new ministers tomorrow. Mr. Zaramacora y Inclan is the government's financial agent in London, where he has been stationed for two years.

The retirement of the cabinet has given rise to many rumors that further official posts will be vacated which have not excepted even Diaz himself. That vice-president Corral will ask for a leave of absence for a long term, if he does not present his resignation, is regarded as well substantiated.

As for the report that Diaz contemplates surrendering the presidency, no foundation can be found.

## ALDRICH PLAN APPROVED.

Washington, D. C., March 27.—The currency committee of the American Bankers association, representing 12,000 of the 22,000 banks of the country, unanimously approved the Aldrich plan for monetary reform today.

## CHINA RELUCTANTLY YIELDS TO RUSSIA

A Belief That Trouble is Only Temporarily Delayed

Peking, Mar. 27.—The Chinese reply to the Russian ultimatum demanding acquiescence not later than tomorrow in the demands set forth in the Russian note of February 16 was delivered tonight according to the announcement of the foreign board. It is a lengthy document explaining and justifying the previous answer of China to the representations from St. Petersburg. There is no doubt that it makes further concessions.

The Russian legation believed today that the Chinese note would terminate the incident regarding Russian consular and commercial privileges in Mongolia temporarily but that the Chinese having discovered that Russia is reluctant to move its troops, will recommence soon. It is believed here, the policy of obstruction toward Russians in the interior. It is accordingly thought that the whole issue will be only aggravated by the latest exchanges.

## FASTER MAIL TRAINS.

Washington, D. C., March 27.—Arrangements have been completed by Postmaster General Hitchcock with the Pennsylvania and Missouri Pacific railroads for a new fast mail train from New York City to St. Louis and Kansas City. The time for a considerable portion of the Kansas, Oklahoma and New Mexico eastern mail will be advanced thereby from six to ten hours.

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